

REMARKS

This response is filed with a request for continued examination. Claims 35-47 are pending. The Office Action objects to Claims 35, 36, 39, 42, 43, and 47. Claims 36-39, 41, 43, and 44-46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. App. Pub. No. 2002/0010698 to Shin et al. ("Shin") in view of U.S. Pat. App. Pub. No. 2002/0082910 (incorrectly identified as 2002/0092910 in the Office Action) to Kontogouris ("Kontogouris") in view of U.S. Pat. App. Pub. No. 2007/0162398 to Tadayon et al. ("Tadayon"). Claim 47 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Shin, Kontogouris, and Tadayon, and further in view of U.S. Pat. App. Pub. No. 2006/0183097 to Ishii ("Ishii"). Claims 35 and 42-46 are indicated as being allowable. Claim 40 is objected as being dependent upon a rejected base claim, but is indicated as being allowable if rewritten in independent form.

Applicants appreciate the Examiner granting the telephonic interview of July 8, 2010, during which the Office Action and proposed amendments to place the application in condition for allowance were discussed. Applicants have made clarifying amendments to some claims as set forth in the above listing of amended claims. These amendments are fully supported by the originally filed specification. Claim 40 has been canceled. New Claims 48-55 have been added and are fully supported by the originally filed specification. In view of the amendments and the following remarks, Applicants respectfully submit that all of the claims are in condition for allowance.

The Objection to Claims 35, 36, 39, 42, 43, and 47 is Overcome

Applicants have amended Claim 35 such that "a content manager configured to cause the apparatus to at least:" is in the body of the claim, as requested in the Office Action. With respect to the remaining objections, Applicants' undersigned representative explained the Applicants' position to the Examiner during the telephonic interview and the Examiner agreed to withdraw the objections. As such, Applicants submit that all of the claim objections have been overcome.

Claims 35 and 42-46 are in Condition for Allowance

Applicants have amended Claim 35 to overcome the objection. As such, applicants respectfully submit that Claim 35 is now in condition for allowance.

With respect to Claims 42-46, the Examiner stated during the telephonic interview that the rejection of Claims 43-46 under § 103(a) in view of the combination of Shin, Kontogouris, and Tadayon was in error. As such, Applicants consider the rejection to be withdrawn. As already noted, all objections to the claims have been overcome. Applicants therefore respectfully submit that Claims 42-46 are in condition for allowance.

Claims 39, 41, and 47 are in Condition for Allowance

Applicants have amended Claim 39 to include the subject matter of Claim 40, as suggested by the Examiner during the telephonic interview. Accordingly Applicants respectfully submit that Claim 39 is in condition for allowance for at least those reasons as the Examiner indicated that Claim 40 would be allowable if rewritten in independent form.

Claims 41 and 47 each depend from Claim 39 and include all of the features of amended Claim 39 by dependency. Accordingly, Applicants respectfully submit that Claims 41 and 47 are in condition for allowance for at least the same reasons Claim 39.

Claims 36-38 are in Condition for Allowance

Claim 36 has been amended to clarify that the selected content and the first selected locking requirement are provided to the user device based on the received device identifier to permit the selected content to be presented by the user device upon each occurrence of a predefined condition associated with the selected content until the at least the first selected locking requirement is met. None of the cited references, taken alone or in combination, teach or suggest providing both the selected content and the first selected locking requirement to the user device based on the received device identifier to permit the selected content to be presented by the user device upon each occurrence of a predefined condition associated with the selected content until the at least the first selected locking requirement is met, as featured in Claim 36.

As such, Applicants respectfully submit that Claim 36 is patentably distinct from the cited references, taken alone or in combination, such that the rejection is overcome. Applicants further respectfully submit that Claim 36 is in condition for allowance. Dependent Claims 37 and 38 each depend at least in part from Claim 36 and thus, by dependency, include all of the features of Claim 36. Applicants therefore respectfully submit that Claims 37 and 38 are patentably distinct from the cited references, taken alone or in combination, and in condition for allowance for at least those reasons discussed with respect to Claim 36.

New Claims 48-55 are in Condition for Allowance

New Claims 48-55 are fully supported by the originally filed specification and each depend from a respective one of independent Claims 35, 39, and 42. As Such, Applicants respectfully submit that new Claims 48-55 are in condition for at least those reasons discussed above with respect to Claims 35, 39, and 42.

CONCLUSION

In view of the amended claims and remarks presented above, it is respectfully submitted that all of the present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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